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CORPORATE PATENT JOURNAL
U.S. PATENTS CORPORATION
580 WHITE PLAINS ROAD
HARRISTOWN, NY 10543

EXAMINER

BRIEFING

ART UNIT	PAPER NUMBER
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7

2609
DATE MAILED:

02/27/96

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 12/4/95 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1 and 3 - 11 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☒ Claims 2 has has been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1 and 3 - 11 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

EXAMINER'S ACTION

Part III DETAILED ACTION
Response to Amendment

1. In response to applicant's arguments filed December 4, 1995 the rejection of claims 1-11 as being anticipated by the Felsenstein or Mikan patents has been withdrawn. The arguments concerning Kato have been fully considered but they are not deemed to be persuasive. Applicants claims currently cover keyboard cursor input keys and the specification describes applicants intent to include keyboard cursor input keys as cursor control devices for inputting cursor control signals into a cursor control means, thus, the cursor keys of Kato are applicable prior art against applicants claimed invention. The argument concerning the "key-down" and "key-up" signals are specious but applicants specification does not describe the cursor control signals as being "key-up" signals succeeding "key-down" signals. Applicants final argument concerning the lack of data being sent to the cursor control means in the Kato reference is not agreed with because the control means of Kato would determine if the amount of time of cursor movement has been exceeded and if the determination was positive then the control means would apply a signal to the cursor control means to make the cursor movement faster. This broad concept is inherent to any type of processing which would determine if the cursor key has been depressed for a predetermined period of time. After the predetermined time has elapsed, a signal would be sent to another part of the control system to cause a faster cursor speed to

Serial Number: 08/255,277
Art Unit: 2609

-3-

occur in response to continued cursor key depression. **In re Graves 36 USPQ2D, 1697,1701, (CAFC November 9, 1995).**

Claim Rejections - 35 USC § 102

2. Claims 1 and 3-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kato.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffery A. Brier whose telephone number is (703) 305-4723. The examiner can normally be reached on Monday through Friday from 7:15am to 3:45pm eastern time.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709. The fax phone number for this Art Unit is (703)-308-5399.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

February 20, 1996

Jeffery A. Brier
JEFFERY BRIER
PRIMARY EXAMINER
GROUP 2600